DOCUMENT RESUME

ED 029 147 VT 008 429

Youth Work-Study Program. Summary and Suggested Development.
New York State Education Dept., Albany. Div. of Special Occupational Services.
Note-17p.
EDRS Price MF-$0.25 HC-$0.95
Descriptors-Federal Legislation, Federal Programs, *Program Administration, Program Descriptions, Program Development, *Program Guides, *State Programs, *Vocational Education, *Work Study Programs
Identifiers-New York, Vocational Education Act of 1963

The purpose of the work-study program is to provide part-time employment for students who need the earnings from such employment to commence, continue, or return to an approved vocational education program on a full-time basis. Suggestions for developing work-study programs for vocational education students under the federal legislation are provided under the headings of: (1) Purpose, (2) Administration, (3) Participants, (4) Limitation of Employment, (5) Employment, (6) Suggested Development, (7) State Education Department Approval, (8) Fiscal Regulations, (9) Matching of Federal Funds, and (10) Local Evaluation. The appendixes contain regulations on hours of work, employment certificates, and an excerpt from the Vocational Education Act of 1963. (DM)

ED029147

YOUTH WORK-STUDY PROGRAM

SUMMARY AND SUGGESTED DEVELOPMENT

VT008429

The University of the State of New York
The State Education Department
Division of Special
Occupational Services
Albany, New York 12224

U.S. DEPARTMENT OF HEALTH, EDUCATION & WELFARE
OFFICE OF EDUCATION

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FOREWORD

This Work-Study Program is designated to provide part-time employment for youths who need the earnings from such employment to commence, continue, or return to their vocational training on a full-time basis.

Providing youth with the opportunity to earn funds is based on the premise that equality of educational opportunity becomes more of a reality when youth are financially able to attend school. This opportunity for part-time employment while still in school will be a key factor in helping many students to stay in occupational education programs.

Joseph R. Strobel
Assistant Commissioner for
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John M. Leslie
Director, Division of Special
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ABSTRACT AND SUGGESTED DEVELOPMENT OF WORK-STUDY PROGRAM FOR VOCATIONAL EDUCATION STUDENTS OPERATED UNDER PUBLIC LAW 88-210, PART A, SECTION 13, VOCATIONAL EDUCATION ACT OF 1963

Topic 1. Purpose

To provide part-time employment for students who need the earnings from such employment to commence, continue, or return to, an approved vocational education program on a full-time basis

Topic 2. Administration

By local educational agencies and made available (to the extent of funds) to qualified students served by such agencies

Topic 3. Participants

Employment will be furnished to full-time vocational education students who are at least 15 years of age and less than 21 years of age, and, who in the opinion of appropriate school authorities, need earnings[1] to commence or continue their vocational education program and are capable of maintaining good standing in such program while employed.

Topic 4. Limitation of Employment

Maximum of 15 hours in any week when classes in which the student is enrolled are in session and maximum of $45 in any month or $350 in any academic year[2]

[1]a. Determination of financial need should include consideration of family income, occupation of person(s) supporting family, and number of family members.

b. Any family receiving aid for dependent children may be automatically considered to be in financial need. The 1962 Public Welfare Amendments include a provision that income from gifts, earning, or OASI received by children under 18 years old, which is set aside for the needs of these children (directly identifiable needs), may be exempted from inclusion in the family income. Such exemption exists also for present needs.

c. Reasons for financial assistance may include the need for money for clothes, carfare, lunches, some support for family, participation in school activities, and personal necessities.

d. Those youths who are recommended by the Special Youth Program of the MDTA as students who might return to the high school to receive their diplomas if they had such financial support. (All youth who are 16 years of age and those who have not received their high school diplomas and have been out of school a year or less are not eligible for training grants under Special Youth Program.)

[2]Unless students are attending a school which is not within reasonable commuting distance from their homes, in which case the compensation may not exceed $60 in any month or $500 in any academic year

Topic 5. Employment

a. In local educational agencies or other public agency or institution (Federal, State, or local) pursuant to a written agreement between the local educational agency and such other agency or institution. Work so performed will be adequately supervised and coordinated and will not supplant present employees of such agency or institution, who ordinarily perform such work. In those instances where employment is for a Federal agency or institution, the written agreement between the local administrating educational agency and the Federal agency or institution will state that students so employed are not Federal employees for any purpose.

b. Suggested public institutions (Federal, State, or local) are:

Courts	Municipal departments such as
Housing authorities	police, fire, welfare, and public health
Libraries	Parks and playgrounds
Mental institutions	Schools

c.

Aides for group care of children	Library assistants
Audiovisual equipment operator	Messengers
Cafeteria workers	Nurses' aides
Custodial or maintenance workers	Orderlies
Drivers	Reception clerk
Equipment repairmen	Recreation and playground workers
File clerks	Statistical clerks
	Supply clerks
	Tutors
	Typists

d. The total hours of school and work should not exceed the number of hours permissible under State law for the particular age group involved. (See Appendix A, Part I)

e. Provisions should be made for a work permit where such is required by law. (See Appendix A, Part II)

f. Provisions should be made to ensure that no work will be done which would eliminate or replace a full-time, regular employee. Positions which are established should serve as a supplement to offices, institutions, and agencies. It is suggested that some of the employment be relegated to weekends, when regular employees have time off, and the institutions or agencies might be short of personnel.

Topic 5. Employment Cont.

g. A student shall be under responsible, adult supervision while on the assigned job.

h. Job placement should utilize the student's abilities and interests for vocational education goals to the greatest extent possible.

i. An acceptable wage established by the sponsoring agency shall be paid for the time a student is permitted to work, or is required to be available for work at a place prescribed by the employer. The minimum wage of $1.25 per hour is permissible.

j. Placement of minors in hazardous occupations should be prohibited. Student placements should be made only in agencies that have adequate safety policies and have taken reasonable precautions to assure safety of their employees.

k. Workmen's Compensation Insurance of sponsoring agency should cover student while at work.

Topic 6. Suggested Development

a. The use of a local advisory committee should be highly beneficial to the Work-Study Program, as it is in regular vocational programs. Membership might include representation from the school (supervisor of work study, guidance counselor, and/or principal), business, community, social welfare, police, special youth committees, etc.

b. Student application forms should be confidential. A committee of faculty members should be assigned to screen the applicants.

c. Each student under this program shall be assigned to a school work-study supervisor or counselor. One major role of the supervisor is to help the student develop and maintain a responsible attitude toward his studies and the performance of his job. Counseling should be a major responsibility of the supervisor.

d. Adequate coordination and counseling time should be allotted to the supervisor in order to have the Work-Study Program operated effectively.

e. A complete file should be kept on each student in the Work-Study Program by the local educational agency.

Topic 7. State Education Department Approval of Work-Study Programs

a. *Application by Local Educational Agency* - Consideration of Work-Study Programs will be given upon receipt of application form WSP-1.

b. *Criteria for Determining Relative Priority of Local Programs* -
   (1) Percentage of dropouts 15 to 21 years of age in the local community
   (2) Percentage of unemployed persons 15 to 21 years of age in the local community

c. *Procedure for Determining Priority of Program Approvals* -
   (1) Local educational agencies will submit local percentages of dropouts and unemployed persons, 15 to 21 years of age, to the State Education Department.
   (2) Priority of program approvals will be determined by the rankings in ascending order of the average of the percentages of dropouts and unemployed persons, 15 to 21 years of age, submitted by the local educational agency.
   (3) Disbursement of available funds will be on a percentage basis computed by the net enrollment of pupils in the local system divided by the total enrollment of participating schools.

d. *Action by State Education Department* - Local educational agencies will be notified when proposals have been approved and funds have been encumbered.

Topic 8. Fiscal Regulations

a. *Allowable Local Expenditures*
   (1) Compensation of students employed in Work-Study Programs meeting the requirements as indicated in Topic 4, Limitation of Employment
   (2) With the authorization of the State Education Department, Federal funds provided under section 3 of the Public Law 88-210 may be used to support the costs of local supervision, direction, and coordination of approved Work-Study Programs conducted under section 13 of Public Law 88-210. Such costs may be charged to ancillary services, as provided under section 4(a) of the Act. (See appendix B)

b. *Payment to Local Institutions* - Payments of Federal funds to institutions may be reimbursed or made in advance based on estimates supplied by the institution and adjusted by the Commissioner on the basis of monthly reports from the institution.

Topic 8. Fiscal Regulations Cont.

c. *Payments to Students*

(1) Students shall be paid for their work by individual checks for regular pay periods of the local educational agency, or for such pay periods as the local educational agency so desires.

(2) Vouchers are required to support all payroll disbursements and to contain a certification that the students listed have (1) worked the number of hours stated, and (2) performed their work in a satisfactory manner.

(3) Social Security - It is suggested that local educational agencies consult their agreement made with the State Social Security Agency in regards to student wage deductions.

d. *Records and Audits*

(1) Local educational agencies receiving a grant may establish a separate bank checking account for the program. If the local educational agency does not establish a separate bank checking account, controls should be established which will insure the availability of funds.

(2) Local educational agencies shall maintain a separate general ledger account, showing Federal allotments, payments to students, and supervisory expenses for Work-Study Programs.

(3) Local educational agencies shall maintain such records as are necessary for audit purposes and submit such reports as the Commissioner may require.

e. *Termination*

(1) The Commissioner of Education is authorized to terminate any grant or agreement, upon reasonable notice to the institution, if, in his judgment, the institution has failed "in a material respect" to comply with the act or regulation.

(2) The local educational agency may terminate any Work-Study Program or agreement at any time upon reasonable notice giving the reasons for such termination.

Topic 9. Matching of Federal Funds

In the fiscal years 1967 and 1968, every $3 of Federal funds must be matched by $1 of State or local funds.

Topic 10. Local Evaluations

a. The local educational agency should conduct periodic evaluations to determine the effectiveness of the Work-Study Program in terms of the program's objective.

b. An evaluation of the student's work should be made by the local educational agency.

APPENDIX A

Excerpts from the abstract of laws governing the employment of minors in New York State working under the Work-Study Program for Vocational Education, Public Law 88-210, Part A, Section 13, Vocational Education Act of 1963:

PART I

Hours of Work

The limitations on the working hours of children depend upon age, the particular type of work, and whether the child is attending school. No child may work during the hours when he is required to attend school.

When school is in session, from September to June generally, children 14 and 15 years old may not be employed in any occupation (except farm work and selling or distributing newspapers):

1. More than 3 hours on any school day
2. More than 8 hours on Saturday or a nonschool day
3. More than 23 hours in any week
4. More than 6 days in any week

When school is in session, children 16 years old enrolled in a day school, other than a part-time or continuation school, may not be employed in any occupation (except farm work and selling or distributing newspapers):

1. More than 4 hours on any school day
2. More than 8 hours on Saturday or a nonschool day
3. More than 28 hours in any week
4. More than 6 days in any week

When school is not in session, and during vacations, children under 18 generally may not work more than 8 hours a day, 6 days a week. Generally, children 14 and 15 may not work more than 40 hours a week, and children 16 and 17 may not work more than 48 hours a week.

Federal legislation limits the work of children 14 and 15 years old in firms engaged in interstate commerce to a maximum 3-hour day and 18-hour week when school is in session, and to an 8-hour day and 40-hour week when school is not in session.

In school cafeterias, a child who has an employment certificate may work during the lunch period at the school that he attends.

On farms, children 12 to 14, having farm work permits to pick berries, fruits, or vegetables may not work more than 4 hours per day, before 9 a.m. or after 4 p.m., or when school is in session. There are no hours regulations for children over 14 in farm work.

Two jobs - where a minor is employed in two or more factory or mercantile establishments in the same day or week, the total time of employment may not exceed that allowed per day or per week in a single establishment.

Nightwork Restrictions

In addition to the above limitations on the number of hours children may work a day or a week, the law prohibits the employment of minors before and after certain hours, depending on the age and occupation of the minor. The following nightwork restrictions apply throughout the year, both during the time that school is in session and during vacations.

Boys and girls under 16 may not work:

Between 6 p.m. and 8 a.m. in most jobs. (Exceptions: Newspaper carriers and street trades boys may not work between 7 p.m. and 6 a.m.; no hours restriction for farm work for children over 14.)

Boys 16 and 17 may not work:

Between 12 midnight and 6 a.m. in factories, mercantile establishments, beauty parlors, hotels, and restaurants. (Newspaper carriers and street trades boys may not work after 7 p.m.; boys 16 to 21 working as messengers for telegraph or messenger service companies may not be employed between 10 p.m. and 5 a.m.)

Girls 16 to 21 may not work:

1. Between 9 p.m. and 6 a.m. in factories
2. Between 10 p.m. and 7 a.m. in mercantile establishments and beauty parlors
3. Between 10 p.m. and 6 a.m. in hotels and restaurants
4. Between 10 p.m. and 7 a.m. as elevator operators (applies to girls over 18)

APPENDIX A Cont.

PART II

Employment Certificates

An employment certificate, work permit, or badge is required for children under 18 before they may begin work. This includes high school graduates, children who work for their parents, and children who do industrial homework.

Exceptions:

1. An employment certificate or permit is not required for work as a caddy on a golf course. The caddy must be at least 14 years old.
2. An employment certificate is not required for a minor 14 years of age or over to engage in casual employment consisting of yard work and household chores in and about a residence or the premises of a nonprofit, noncommercial organization, not involving the use of power driven machinery.
3. A farm work permit is not required for children 16 or over to work on a farm. Children 14 and 15 must have such a permit for farm work.

Employment certificates are issued by school authorities for the particular job at which the minor intends to work and cannot be used for any other job or employer. New certificates are required for every new job.

Types of Employment Certificates

1. Standard Employment Certificates are issued to minors 16 and 17 years old. The standard certificate is the only type of employment certificate that can be issued for factory work, whether full-time or part-time.

There are two types of Standard Employment Certificates: the full-time certificate is issued to minors who are not attending school, and the part-time certificate to minors who are attending school and wish to work after school or during vacations.

2. Vacation Work Permits are issued to minors 14 and 15 years old for work during the hours when school is not in session and during vacation periods. (A child who has an employment certificate may work during the lunch period in the cafeteria of the school he attends.) Vacation Work Permits are not issued for factory work or for farm work. However, Vacation Work Permits are issued for 14

and 15 year old children to do delivery and clerical work in an enclosed office of a factory, and in dry cleaning, tailor, shoe repair, and similar service stores.

Procedure for Obtaining Employment Certificates

Information as to the location of the local education office where employment certificates, permits, or badges are issued may be obtained at the school the minor is attending or from the superintendent of schools in the locality.

To obtain a Standard Employment Certificate, the minor must submit:

1. Parent's permission for the child to work
2. Documentary proof of age, which may be either a birth certificate, record of baptism, a passport showing date of birth, or other recorded evidence, in existence 2 years or more, satisfactory to the certificating officer
3. A certificate of physical fitness to assure that the minor is in sound health and that the work will not impare his physical condition. Physical examinations are given by school medical inspectors or by physicians designated by the board of health. (For children from neighboring States who seek work in this State a physical fitness certificate issued in the neighboring State may be acceptable.) If the examining physician finds that a minor 14 to 18 is not physically fit for some occupations but may safely engage in other types of work, an employment certificate may be issued on a certificate of limited physical fitness. Such an employment certificate is valid only for a period not exceeding 6 months and only for the occupation specified.
4. A pledge of employment signed by the prospective employer showing the number of working hours a day, days per week, and the nature of the work to be done by the minor
5. A school record issued by the school authorities, if the minor is leaving school.

For a Vacation Work Permit, parent's permission, proof of age, certificate of physical fitness, and pledge of employment are required.

Reissuance of Certificates

New employment certificates must be obtained by minors when they change their jobs. The records required for any employment certificate

previously issued are valid for a new certificate, except that a new pledge of employment must be obtained, and, if more than 6 months have elapsed since the previous physical fitness certificate was issued, a new one must be secured. In order to renew an employment certificate limited to 6 months because of limited physical fitness, a new physical fitness certificate must be obtained, even though the elapsed period is less than 6 months.

Duties of Employer

The employer is required to keep employment certificates on file in his office as long as the minor remains in his employ. The certificate must be returned to the certificating officer on the termination of the minor's employment. These requirements apply only to standard employment certificates and to vacation work permits.

APPENDIX B

Section 4 (a) (6) of Public Law 88-210

Ancillary services and activities to assure quality in all vocational education programs such as teacher training and supervision, program evaluation, special demonstration and experimental programs, development of instructional materials, and State administration and leadership, including periodic evaluation of State and local vocational education programs and services in light of information regarding current and projected manpower needs and job opportunities.